

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: DAVOL, INC./C. R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION

Case No.: 2:18-md-2846

JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson

This document relates to:
ALL CASES

JOINT MOTION TO ENTER CASE MANAGEMENT ORDER NO. 53:
DOCKET CONTROL ORDER

Defendants C. R. Bard, Inc. and Davol Inc. (collectively “Defendants”) and the Plaintiffs’ Steering Committee (“PSC”) pursuant to the authority vested upon it in Case Management Order No. 3 and as the result of mediation pursuant to Case Management Order Nos. 51 and 51-A, which is ongoing and not yet complete, through their undersigned counsel, respectfully move this Court to enter Case Management Order No. 53: Docket Control Order, which is a comprehensive Order that provides procedures related to requirements for record preservation and *prima facie* evidence of implant, injury and causation. A copy of the proposed Order is attached hereto as Exhibit 1.

WHEREFORE, Defendants and the PSC respectfully request that the proposed Case Management Order No. 53: Docket Control Order be entered.

Date: July 5, 2024

Respectfully submitted,

/s/ David J. Butler

/s/ Eric L. Alexander

David J. Butler (0068455)
Plaintiffs’ Liaison Counsel
TAFT STETTINIUS & HOLLISTER LLP
41 South High Street, Suite 1800
Columbus, OH 43215-4213
Tel: (614) 221-2838
Fax: (614) 221-2007
Email: dbutler@taftlaw.com

Eric L. Alexander, Esq.
HOLLAND & KNIGHT LLP
800 17th Street N.W., Suite 1100
Washington, D.C. 20006
(202) 469-5640
eric.alexander@hklaw.com

Timothy M. O'Brien
Plaintiffs' Co-Lead Counsel
Florida Bar No. 055565
LEVIN, PAPANTONIO,
PROCTOR, BUCHANAN, O'BRIEN,
BARR & MOUGEY, P.A.
316 South Baylen St., Ste. 600
Pensacola, FL 32502
Tel: (850) 435-7084
Fax: (850) 436-6084
Email: tobrien@levinlaw.com

Kelsey L. Stokes
Plaintiffs' Co-Lead Counsel
Texas Bar No. 24083912
FLEMING, NOLEN & JEZ, L.L.P.
2800 Post Oak Blvd., Suite 6000
Houston, TX 77056-6109
Tel: (713) 621-7944
Fax: (713) 621-9638
Email: kelsey_stokes@fleming-law.com

Attorneys for Plaintiffs

Michael K. Brown
REED SMITH LLP
355 South Grand Avenue, Suite 2900
Los Angeles, CA 90071-1514
Telephone: (213) 457-8000
mkbrown@reedsmith.com

*Co-Lead Counsel for Defendants Davol
Inc. and C. R. Bard, Inc.*

William D. Kloss, Jr.
VORYS SATER SEYMOUR AND
PEASE LLP
52 East Gay Street
Columbus, OH 43215
(614) 464-6360
wdklossjr@vorys.com

*Liaison Counsel for Defendants C. R.
Bard, Inc. and Davol Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on July 5, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of this electronic filing to all counsel of record.

*/s/Eric L. Alexander*_____

Eric L. Alexander